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## MEMO ENDORSED


December 2, 2019

### VIA ECF

The Honorable Edgardo Ramos  
U.S. District Judge  
U.S. District Court for the Southern  
District Court of New York  
40 Foley Square  
New York, New York 10007

The December 4 sentencing is adjourned to December 17, 2019,  
at 10:45 a.m.

SO ORDERED.

  
\_\_\_\_\_  
Edgardo Ramos, U.S.D.J  
Dated: 12/3/2019  
New York, New York

**Re: United States v. James Toner**  
**No. 17-cr-0569 (ER)**

Dear Judge Ramos:

On behalf of Defendant James Toner, I respectfully request a brief adjournment of his sentencing hearing currently scheduled for Wednesday, December 4, 2019. Mr. Toner just retained me to replace Lee Vartan, Esq., his current counsel of record who may have developed a recent conflict of interest. I filed a notice of appearance today and will promptly file a substitution of counsel in compliance with Local Criminal Rule 1.2 and Local Civil Rule 1.4 for the Court's review and approval.

The government, through AUSA Olga Zverovich, consents to my request for a brief adjournment of Mr. Toner's sentencing hearing. Subject to the Court's schedule, we jointly propose a two-week adjournment to allow for the filing of the parties' respective sentencing memorandum. Thank you in advance.

Respectfully submitted,

/s/ Rodney Villazor

Rodney Villazor  
Smith Villazor, LLP

cc: AUSA Olga Zverovich